

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

MICHAEL BENSON,

Civil No. 23-2377 (JRT/DLM)

Plaintiff,

v.

**ORDER ON REPORT AND
RECOMMENDATION**

JODI HARPSTEAD, *Comm. of the Dept.
of Human Services, sued in official
capacity,*

Defendant.

Michael Benson, 1111 Highway 73, Moose Lake, MN 55767, *pro se*
plaintiff.

Aaron Winter, **MINNESOTA ATTORNEY GENERAL'S OFFICE**, 445 Minnesota
St Ste 1100, St Paul, MN 55101-2128, for defendant.

United States Magistrate Judge Douglas L. Micko filed a Report and
Recommendation on July 3, 2024 (ECF No. 25.) No objections have been filed to that
Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and on all of
the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Report and Recommendation (ECF No. 25) is **ADOPTED**;
2. Defendant Jodi Harpstead's Motion to Dismiss Plaintiff Michael Benson's
Complaint against her (ECF No. 8) is **GRANTED**;
3. Mr. Benson's Complaint (ECF No. 1) is **DISMISSED** without prejudice; and

4. Mr. Benson's Motion for Summary Judgment (ECF No. 17) is **DENIED** as moot.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: July 30, 2024
at Minneapolis, Minnesota

s/John R. Tunheim

JOHN R. TUNHEIM
United States District Judge